

***CHILDREN & FAMILIES COMMISSION OF FRESNO COUNTY***

***April 4, 2001 - 3:00 p.m.***

***University of California Building  
550 E. Shaw, Suite 215  
Fresno, CA***

**Agenda Item No. 1**

**Recommendation**

Approve Commission Minutes-March 7, 2001 and March 14, 2001

**Present :** Executive Director Steve Gordon, Chair Bob Waterston, Vice Chair Luisa Medina, Commissioner Marion Karian, Commissioner Roseanne Lascano, Commissioner Kathleen McIntyre, Commissioner Gary Carozza, Commissioner Oscar Sablan, Commissioner Sal Montana

A quorum was established and Commissioner Waterston called the meeting to order at 3:15 p.m.

**1. Report of Closed Session**

Commissioner Waterston stated that no action was taken during the closed session and there was nothing to report.

**2. Approve Commission Minutes – March 7, 2001 and March 14, 2001**

Commissioner Medina made a motion to approve the March 7, 2001 and March 14, 2001 minutes. Commissioner Carozza seconded the motion. The motion was carried by a unanimous vote.

**3. Consent agenda item to approve the following Capital and Program Contracts for funding by the Children and Families Commission of Fresno County**

Commissioner Waterston announced that the Commission added the Program and Capital contracts for Fresno Unified School District to the consent item for approval.

Executive Director Steve Gordon presented the consent agenda item and indicated that the contracts brought before the Commission were not complete in time for approval at the last meeting. Mr. Gordon verbally stated the name of each grantee, the type of grant, the amount and the term of the award.

<u>Name of Agency</u>	<u>Type</u>	<u>Amount</u>	<u>Years</u>
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Blind Babies Foundation	Program	\$259,641	3
Fresno Unified School District	Program	\$468,407	3
Fresno Unified School District	Capital	\$62,400	1
March of Dimes	Program	\$382,824	3
Sanger Unified School District	Program	\$951,537	3
Sanger Unified School District	Capital	\$364,504	1
Southwest Transportation	Capital	\$90,000	1

Commissioner Lascano disclosed her conflict of interest with Sanger Unified School District and their contracts were pulled from the consent item to be voted on separately by the Commission.

Commissioner Sablan motioned for approval of the consent agenda item excluding the contracts for Sanger Unified School District. Commissioner Karian seconded the motion. The motion was carried by a unanimous vote.

Commissioner Medina motioned for approval of the Program and Capital contracts for Sanger Unified School District. Commissioner McIntyre seconded the motion. The motion was carried by a unanimous vote. Commissioner Lascano abstained from voting.

#### **4. Presentation by the Fresno County Child Care Local Planning Council**

Executive Director Steve Gordon introduced Mary Arriaga, Child Care Coordinator and Lilia Chavez, Chairperson with the Fresno County Child Care Local Planning Council who presented an overview of their program and the Fresno County Comprehensive Countywide Child Care Plan. Ms. Arriaga explained that their organization is a public-private partnership of business, education, community and governments whose primary mission is to plan for childcare and development services based on the needs of families in Fresno County. To accomplish their mission, they collaborate with other individuals and organizations interested in the welfare of families; the LPC supports the existing childcare infrastructure by coordinating available services. Membership in the LPC consists of childcare consumers, childcare providers, community representatives, public agency representatives and discretionary appointments by the Board of Supervisors and the Superintendent of Schools. The LPC is directed and mandated under Education Code 8499.5 to collaborate and foster strong community partnerships with subsidized and non-subsidized child care providers, State/Local Children and Families (Prop. 10) Commissions, county welfare and human service departments, job training programs, employers and integrated child and family service councils and other interested parties. There was brief discussion on child development centers throughout the county, retention, duplication of services and the opportunities to use the funds available to work closely together. Ms. Arriaga concluded her presentation by extending an invitation to the Commissioners and everyone present to attend the Education & Training Task Team AB/212CARES Informational Meeting, to be held immediately following the Commission meeting.

**5. Discuss and approve the second general round RFP**

Executive Director Steve Gordon presented the draft RFP for the second round of funding in the amount of \$5 million dollars and requested approval from the Commission.

Commissioner Medina referred to page 3 in the RFP and requested an update regarding transportation issues, given the discussion at the last Commission meeting and the direction that the Commission had decided to take. In response, Kendra Rogers, Program Operations Coordinator noted that she has been working in conjunction with a task team put together by Fresno Metro Ministries that is presently addressing transportation issues. Ms. Rogers reported that they have created a list of the key transportation providers in Fresno County. A meeting has been set for April 19, 2001 to identify and discuss the gaps and to develop a comprehensive plan as far as transportation is concerned. Ms. Rogers indicated that the RFP could be changed to state that transportation could be included as a component of a program; however, Proposer's may not submit a proposal for a transportation program unto itself.

There was some discussion regarding the Commission retaining ownership of equipment purchased and used to provide services. The Commission's legal counsel, Holley H. Perez addressed the issue and clarified that with Capital grants resulting in the purchase of vans, buildings or other equipment, those items of equipment are purchased with Commission money, therefore the legal ownership of said items stays with the Commission for either a ten year period or the reasonable life of the equipment. In the event that a grantee fails to provide the services for which the equipment was purchased, either the equipment/property or the funds must be returned to the Commission, who retains the right to designate the usage of said equipment.

Joan Schlessing, California Council of Churches offered a point of information and quoted from a document developed as part of a teleconference which references their established guidelines for funding capital improvements.

Commissioner Sablan asked legal counsel for an explanation of the Commission's liability as owners of property and equipment. Ms. Perez indicated that the Commission acts as a lender would by requiring an insurance binder from the grantee that indemnifies the Commission against any liability.

Commissioner Medina expressed some concern with the specification in the RFP that limits Proposers to submitting only one proposal per agency. She noted concern with treating private non-profit groups different from public entities. Commissioner Medina said in her opinion, doing so, the Commission could be furthering fragmentation among public entities. Ms. Rogers noted that this issue became an area of concern during the first round of funding. She explained that large agencies with individual departments and their separate staff would be considered as individual agencies. Mr. Gordon, referring to his discussion with legal counsel on this issue, stated that there are two factors that can be used to determine if an agency can be considered as an entity unto itself; if an agency is listed separately in the phone book as a separate entity and/or if it has a separate budget identifiable unto itself. Mr. Gordon explained that if no limitations or restrictions were set, the Commission could conceivably deplete all of its money funding one agency. Ms. Perez clarified that the factors referred to applied to the

conflict issue and not necessarily the proposal. Mr. Gordon asked the Commission for direction in setting up parameters that would prevent all of the funds from going to one entity as well as developing a well balanced approach in funding. After some discussion amongst the Commission and the public, it was the consensus of the Commission to remove the specification from the RFP that limits agencies from submitting more than one proposal.

Reference was made to the Disclosure Statement on page 25 of the RFP that asks the Proposers specific questions regarding litigation, bonding, felony or misdemeanor criminal charges and the management of funds. Ms. Rogers explained that this section was included in the RFP as a precautionary measure due to certain issues that arose during the first RFP, which became potential problems or concerns during the execution of contracts. It was the consensus of the Commission to modify the language in question number 2 which specifically asks Proposers if their board members or key staff members are bondable, to specifically ask if their board members or key staff members have ever been convicted of a felony or misdemeanor criminal charge.

Commissioner Medina voiced concerns regarding the paragraph in the RFP referring to the Proposer's Interview (Step III). She indicated some concern with staff conducting the Proposer's Interviews after the independent evaluators review the proposals. Ms. Rogers noted that staff should be given the opportunity to make their recommendations. Commissioner Montana stated that following this procedure lacks consistency. Commissioner Karian suggested establishing an advisory committee that would be comprised of individuals from the community as well as the Commission staff. Commissioner McIntyre stated that although she would like to see out of town readers, she would suggest that local people visit the sites and conduct the interview process. Mr. Gordon said it would be his opinion to have the proposals sent to the State Commission's Technical Assistance Center to be scored by independent evaluators and have State staff conduct the interviews afterwards. It was the consensus of the Commission to modify this paragraph to read that at the time of the interview stage, the interviews would be conducted by some of the readers and the Commission staff.

Commissioner Medina suggested that technical assistance workshops be also made available during evening hours to accommodate smaller agencies that are unable to attend during the day. It was the consensus of the Commission to hold one technical assistance workshop as stated in the RFP and hold another workshop during the evening hours of the same week.

Commissioner Medina referred to the paragraph of the RFP pertaining to Bonus Points. She questioned why Bonus Points are no longer being provided to agencies targeting underserved populations. She also questioned why Bonus Points were being given for sustainability or collaboration as these things should be included in the proposal and not be given as Bonus Points. It was the consensus of the Commission to remove this paragraph from the RFP.

Mr. Gordon requested written comments from the Commission on revisions to the RFP. It was the consensus of the Commission to bring this agenda item with the noted revisions back to the Commission for approval during a special meeting to be held on Wednesday, April 11, 2001 at 8:00 a.m. Commissioner Montana motioned to approve the special meeting to discuss and

approve the RFP. Commissioner Carozza seconded the motion. The motion was carried by a unanimous vote.

**6. Provide clarification on the granting of funds to faith based organizations**

Executive Director Steve Gordon addressed the issue of questions and concerns pertaining to the granting of funds to faith based organizations. The issues in question were whether or not faith-based organizations are eligible for Commission funds and what those funds can be used for. The Commission's legal counsel, Holley H. Perez referred to the U.S. Constitution First Amendment, the Free Exercise and Establishment Clause and stated that it clearly prohibits government from 1) Funding anything that establishes or states religion; and 2) Prohibiting someone from exercising their religious beliefs. Therefore, within the context of those two clauses, there is a substantial amount of case law that has determined what is permissible and what is not permissible for a governmental agency that is funding directly to organizations. The funding cannot create an atmosphere that establishes what would be considered a requirement for individuals to receive the benefits of that funding. Ms. Perez stated that if there is a program that as part of their curriculum teaches the tenants of a particular religion, and you are giving the money directly to that organization, then that particular program will not be able to receive funding. There is a difference when the funds are being given to individuals to make their choice of where they get the services. The program cannot eliminate the choice of the individual.

Commissioner Waterston suggested that this agenda item be brought back before the Commission under the RFP at the special meeting. It was the consensus of the Commission to discuss and approve the granting of funds to faith-based organizations at the special meeting to be held on Wednesday, April 11, 2001 at 8:00 a.m.

Joan Schlessing, California Council of Churches requested the floor to read a prepared statement and noted that there were other members in the audience that would like the opportunity to speak in favor of this issue. Chairman Waterston granted each person five minutes to comment on the faith based issue. Others to comment on the issue were Rev. Terry Purgeson, affiliated with Fresno First Baptist Church, Rev. Joseph Thorton of Liberty Christian Fellowship Church and Ruth Long of Fresno Unified School District and Board Member of The Learning Tree.

**7. Approve a name change for receipt of program grant funds originally designated "Frente Indigena Oaxaqueña Binacional" (F.I.O.B.) to "Centro Binacional Para el Desarrollo Indigena Oaxaqueño" (C.B.D.I.O.) and approve a new contract between the Children and Families Commission of Fresno County and C.B.D.I.O.**

Executive Director Steve Gordon addressed the name change and contract approval for C.B.D.I.O., originally granted funds designated as F.I.O.B. Commissioner Medina motioned for approval of the name change and new contract for C.B.D.I.O. Commissioner Carozza seconded the motion. The motion was carried by a unanimous vote.

**8. Information Sharing**

Executive Director Steve Gordon encouraged the Commissioners and the public to attend the AB212/CARES Information Meeting immediately following the Commission meeting. Mr. Gordon introduced Special Guest Speaker Jim Stockinger, who gave an overview of the childcare issues he would be addressing during the meeting.

**Public Comment**

There was no comment from the public.

**Adjournment**

Commissioner Waterston adjourned the meeting at 5:15 p.m.